

Response To Notice To File Missing Parts Of Application

FEB 23 2006 Filing Date Granted (PTO-1533)(Large Entity)

Docket No.

FR920020033US1

In Re Application Of: Picon et al.

Application No.

10/520,797

Filing Date

01/10/2005

Examiner

N/A

Customer No.

45095

Group Art Unit

N/A

Confirmation No.

9922

Invention: A METHOD AND SYSTEM FOR EXTENDING THE FILE SYSTEM API

Mail Stop Missing PartsCOMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

01/12/2006

Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

Return Receipt Postcard

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TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application basic fee

☐ Design application basic fee

☐ Search Fee

☐ Examination Fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$130.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

02/28/2006 ATRAN1 00000122 090469 10520797

01 FC:1617 130.00 DA

Total completion of application fees \$130.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month

☐ Two months

☐ Three months

☐ Four months

☐ Five months

from: _____
Date

until: _____
Date

Total time extension fees

Total fees due \$130.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
FR920020033US1

In Re Application Of: Picon et al.

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|-------------------------------|---------------------------|-----------------|-----------------------|-----------------------|--------------------------|
| Application No. 10/520,797 | Filing Date 01/10/2005 | Examiner N/A | Customer No. 45095 | Group Art Unit N/A | Confirmation No. 9922 |
|-------------------------------|---------------------------|-----------------|-----------------------|-----------------------|--------------------------|

Invention: A METHOD AND SYSTEM FOR EXTENDING THE FILE SYSTEM API

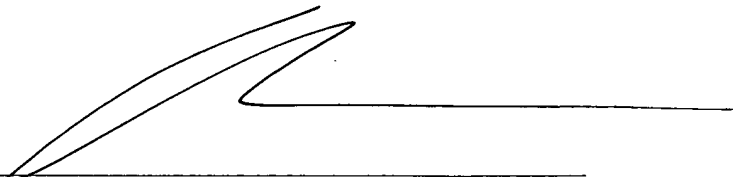
TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$130.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0469 (IBM)
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

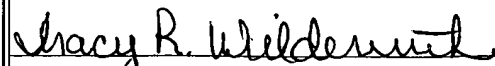
Dated: February 21, 2006

Ronald A. D'Alessandro
Reg. No. 42,456
Hoffman, Warnick & D'Alessandro LLC
75 State Street, 14th Floor
Albany, New York 12207

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

February 21, 2006

(Date)



Signature of Person Mailing Correspondence

Tracy R. Wildermuth

Typed or Printed Name of Person Mailing Correspondence

CC:

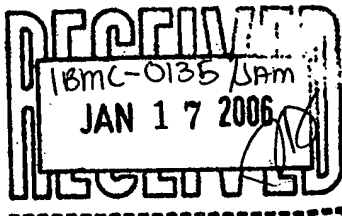


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/520,797 | Joaquin Picon | FR920020033US1 |

John A Merecki
 Hoffman Warnick & D'Alessandro
 Three E-Comm Square
 Albany, NY 12207



| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/EP03/07132 | |
| I.A. FILING DATE | PRIORITY DATE |
| 06/13/2003 | 07/11/2002 |

CONFIRMATION NO. 9922
 371 FORMALITIES LETTER



OC000000017820002

Date Mailed: 01/12/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/10/2005
- Copy of the International Search Report filed on 01/10/2005
- Copy of IPE Report filed on 01/10/2005
- Information Disclosure Statements filed on 01/10/2005
- Oath or Declaration filed on 01/10/2005
- Request for Immediate Examination filed on 01/10/2005
- U.S. Basic National Fees filed on 01/10/2005
- Assignment filed on 01/10/2005
- Priority Documents filed on 01/10/2005
- Specification filed on 01/10/2005
- Claims filed on 01/10/2005
- Abstracts filed on 01/10/2005
- Drawings filed on 01/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the citizenship of each inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/520,797 | PCT/EP03/07132 | FR920020033US1 |